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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,624	05/14/2001	Daryl Carvis Cromer	RPS919980030US2	9643
25299	7590	12/17/2004	EXAMINER	
IBM CORPORATION PO BOX 12195 DEPT 9CCA, BLDG 002 RESEARCH TRIANGLE PARK, NC 27709			REFAI, RAMSEY	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/855,624	<b>Applicant(s)</b> CROMER ET AL.	
	<b>Examiner</b> Ramsey Refai	<b>Art Unit</b> 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 May 2001.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. Responsive to preliminary amendment filed on May 14, 2001.

Applicant had canceled claims 1-9 and 16-20

Claims 10-15 are pending.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 10-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Aziz et al (U.S. Patent No. 6,119,234).

4. As per claim 10, Aziz et al teach a method for providing update configuration data for a client personal computer system in a data network including a server, having configuration data including an internet protocol destination address, and at least one client personal computer system having a storage device for storing configuration data and a micro controller for receiving network signal packets from the server and for configuring the client personal computer system with updated configuration data, including the internet protocol destination address of the server, comprising the steps of:

receiving a network signal packet sent from the server in the micro controller in the at least one client personal computer system (**column 2, lines 52-58**);

determining that the network signal packet includes the server's Internet protocol destination address (**column 3, lines 38-50**);

determining that the network signal packet is a match for the any one of the at least one client personal computer system (**column 3, lines 14-29, 52-58 and column 9, lines 12-25; authentication**); and

updating the storage device of the any one of the at least one client personal computer system with the included Internet protocol destination address of the server (**column 2, lines 52-60**).

5. As per claim 11, Aziz et al teach after the step of receiving the network signal packet, there is a step of authenticating the encryption of the network signal packet to authenticate the presence of encrypted data in the network signal packet (**column 3, lines 14-29, 52-58 and column 9, lines 12-25**).

6. As per claim 12, Aziz et al teach after the step of authenticating the encryption of the network packet, there is a step of validation of the data authenticated in the step of authenticating the encryption of the network packet (**column 3, lines 14-58 and column 9, lines 12-25**).

7. As per claim 13, Aziz et al teach determining that the network signal packet includes the servers internet protocol destination address, the presence in the network signal packet of

configuration identification and configuration data is determined (**column 3, lines 14-58 and column 4, lines 3-6**).

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aziz et al (U.S. Patent No. 6,119,234) in view of Crowle (U.S. Patent No. 5,857,072).

10. As per claim 14, Aziz et al fail to teach the step of determining whether the network signal packet is a match for any one of the at least one client personal computer system, there is a first determination as to whether the network signal packet is identified to any one of the least one client personal computer systems and a second determination as to whether the network signal packet is identified to a plurality of client personal computer systems.

11. However, Crowle teaches determining which of the multiple locations is to receive a data distribution. The multiple network computer locations then determine whether it is an intended location for receiving the data distribution (**column 3, lines 10-39**). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Aziz et al and Crowle because Crowle's use of determining whether a computer system is an intended receiver of a data distribution would enhance Aziz et al's method by allow

for client computer's to determine if an update of configuration data is intended for that client computer in order to avoid unwanted updates that can lead to loss of accurate configuration data.

12. As per claim 15, this claim is similar to claim 14 above, therefore is rejected under the same rationale.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Konkle (U.S. Patent No. 6,560,699)
- b. Phillips (U.S. Patent No. 6,389,579)
- c. Carney et al (U.S. Patent No. 5,913,218)
- d. Christeson et al (U.S. Patent No. 5,579,522).

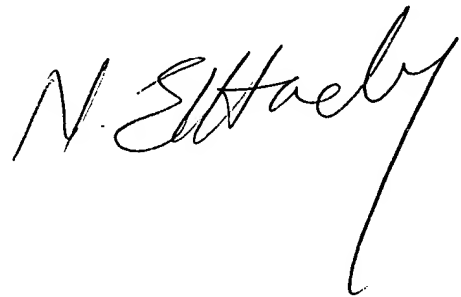
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramsey Refai  
Examiner  
Art Unit 2154

RMR  
December 8, 2004

A handwritten signature in black ink, appearing to read "N. El-Hachy", with a long, sweeping vertical stroke extending downwards from the end of the signature.